

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

-against-

RICHARD SCHUELER aka RICHARD
HEART, HEX, PULSECHAIN, and
PULSEX,

Defendants.

Civil Action No. 1:23-cv-05749-CBA-PK

**DECLARATION IN SUPPORT OF
RICHARD HEART'S MOTION TO
DISMISS**

I, MICHAEL E. LIFTIK, declare pursuant to 28 U.S.C. § 1746 that:

1. I am a partner with the law firm of Quinn Emanuel Urquhart & Sullivan, LLP, counsel for Defendant Richard Schueler aka Richard Heart in the above-captioned action.

2. I submit this declaration in support of Mr. Heart's Motion to Dismiss.

3. Exhibit A is a true and accurate transcript, prepared by the staff of TransPerfect, of a November 8, 2019 YouTube video available at <https://www.youtube.com/watch?v=Hf4V1-s0Lzw>.

4. Exhibit B is a true and accurate transcript, prepared by the staff of TransPerfect, of a December 2, 2019 YouTube video available at <https://www.youtube.com/watch?v=S-KAJzvd03I>.

5. Exhibit C is a true and accurate transcript, prepared by the staff of TransPerfect, of a July 21, 2021 YouTube video available at <https://www.youtube.com/watch?v=Tt-NpcMnb78>.

6. Exhibit D is a true and accurate transcript, prepared by the staff of TransPerfect, of a January 16, 2022 YouTube video available at <https://www.youtube.com/watch?v=FdrT6V4IMLQ>.

7. Exhibit E is a true and accurate copy of the website Hex.win/disclaimer as it appeared on December 6, 2019, as preserved by the Wayback Machine at <https://web.archive.org/web/20191206154719/https://hex.win/disclaimer.html>.

8. Exhibit F is a true and accurate copy of the website www.PulseChain.com as it appeared on August 22, 2021, as preserved by the Wayback Machine at <https://web.archive.org/web/20210822032146/https://pulsechain.com/>.

9. Exhibit G is a true and accurate copy of the website www.PulseX.com/sacrifice as it appeared on January 17, 2022, as preserved by the Wayback Machine at <https://web.archive.org/web/20220117064604/https://pulsex.com/sacrifice/>.

I declare under penalty of perjury that the foregoing is true and correct. Executed on this 8th day of April, 2024, in the District of Columbia.

/s/ Michael E. Liftik
Michael E. Liftik